

# **EXHIBIT C**

**STATES ENROLLING IN THEIR MILITIAS ONLY INDIVIDUALS OVER 21**

State and Date of Enactment	Relevant Statutory Text	Source
Delaware (1807)	<p>Section 1. <i>Be it enacted</i>, . . . That each and every free able-bodied white male citizen of this State, or any of the United States, residing in this State, who is or shall be, of the age of eighteen years, and under the age of forty-five years, except as hereinafter excepted, shall severally and respectively be enroled in the militia. . . .</p> <p>Sect. 2. [Exempting certain persons from militia duty].</p> <p>Sect. 4. <i>And be it further enacted</i>, That in order that the militia may be well armed, equipped and accoutred, every citizen whose assessment shall amount to the sum of five hundred dollars, that has been, or hereafter shall be enroled and notified thereof, (except as herein before excepted, and all young men under the age of twenty-one years, enroled agreeably to the second section of this act, shall be exempted from furnishing the necessary arms and accoutrements, and from all militia duties and fines during such minority, except in cases of rebellion or any actual invasion of this State,) shall, within a year after the passing of this act, provide himself with a good musket, a sufficient bayonet and belt, two spare flints, and cartouch box, to contain twenty-four cartridges, suited to the bore of his gun, or with a good rifle and shot pouch, and in case of neglect, shall be considered and returned among the absentees.</p>	An Act to establish an Uniform Militia throughout this State, ch. XLIX, §§ 1-2, 4, <i>in 4 M. BRADFORD &amp; R. PORTER, EDS., LAWS OF THE STATE OF DELAWARE</i> 123, 123-24, 125-26 (1816).
Georgia (1861)	<p>§ 981. All able bodied free white male citizens between the ages of twenty-one and forty-five years, residents in this State, and not exempted by this Code, are subject to military duty.</p> <p>.....</p> <p>§ 1026. The militia of the State consists of all persons, not heretofore classified, within its limits subject to military duty, and not exempted therefrom by the Acts of Congress or the laws of this State, or belonging to some volunteer organization.</p>	R. H. CLARK ET AL., EDS., THE CODE OF THE STATE OF GEORGIA, pt. 1, tit. 11, ch. 2, §§ 981, 1026, at 189, 199 (1861).

Kansas (1859)	Section 1. The militia shall be composed of all able-bodied white male citizens between the ages of twenty-one and forty-five years, except such as are exempted by the laws of the United States, or of this state; but all citizens, of any religious denomination whatever, who, from scruples of conscience, may be averse to bearing arms, shall be exempted therefrom, upon such conditions as may be prescribed by law.	KAN. CONST. of 1859, art. 8, § 1.
New Jersey (1829)	1. Be it enacted by the <i>Council and General Assembly of this State, and it is hereby enacted by the authority of the same</i> , That from and after the passing of this act, all persons under the age of twenty-one years be, and they are hereby, exempt from militia duty in time of peace.	An Act to exempt minors from Militia Duty in time of peace (1829), in JOSIAH HARRISON, ED., A COMPILATION OF THE PUBLIC LAWS OF THE STATE OF NEW-JERSEY PASSED SINCE THE REVISION IN THE YEAR 1820 (1833) 266, 266.
North Carolina (1868)	Section 1. All able bodied male citizens of the State of North-Carolina, between the ages of twenty-one and forty years, who are citizens of the United States, shall be liable to duty in the Militia: <i>Provided</i> , That all persons who may be adverse to bearing arms, from religious scruples, shall be exempt therefrom.	N.C. CONST. of 1868, art. XII, § 1.
Ohio (1843)	Sec. 2. That every able bodied white male inhabitant, resident within this state, who is or shall be of the age of twenty one years, and under the age of forty five years, excepting persons who may be members of volunteer companies, persons absolutely exempted by law, idiots and lunatics, shall be enrolled in the militia.	An Act to regulate the Militia, § 2, in 1843 OHIO ACTS 53, 53.

Pennsylvania (1793)	<p>I. Be it enacted. . . That each and every free, able-bodied, white, male citizen of this or any other of the United States, residing in this commonwealth, who is or shall be of the age of eighteen years and under the age of forty-five years, except as hereinafter excepted, shall severally and respectively be enrolled in the militia. . . .</p> <p>II. And be it further enacted. . . [that certain categories of persons] shall be, and are hereby, excepted from military duty, notwithstanding their being above the age of eighteen and under the age of forty-five years. And also all young men under the age of twenty-one years, and all servants purchased bona fide and for a valuable consideration, shall be exempted from furnishing the necessary arms, ammunition and accoutrements, as are required by the fifth section thereof, and shall be excepted from militia duties and fines during such minority or servitude, except in cases of rebellion, or an actual or threatened invasion of this or any of the neighboring states.</p>	An Act for the Regulation of the Militia of the Commonwealth of Pennsylvania, ch. MDCXCVI, §§ I-II, in 14 JAMES T. MITCHELL & HENRY FLANDERS, EDS., THE STATUTES AT LARGE OF PENNSYLVANIA FROM 1682 TO 1801 454, 455-56 (1909).
Pennsylvania (1864)	<p>Section 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.</i> That every able bodied white male citizen, resident within this state, of the age of twenty-one years, and under the age of forty-five years, excepting persons enlisted into volunteer companies, persons exempted by the following sections, idiots, lunatics, common drunkards, vagabonds, paupers, and persons convicted of any infamous crime, shall be enrolled in the militia; persons so convicted, after enrolment, shall forthwith be dis-enrolled; and in all cases of doubt, respecting the age of a person enrolled, the burden of proof shall be upon him.</p>	An Act For the Organization, Discipline, and Regulation of the Militia of the Commonwealth of Pennsylvania, No. 211, § 1, in 1864 PA. LAWS 221, 221-22.